[Mr. Speaker] [9th August 1955

Hon. Chairman, Madras Legislative Council, transmitting a copy of the following motion passed by the Legislative Council concurring with the Assembly in setting up a Joint Select Committee to consider the Madras Cultivating Tenants Protection Bill, 1955 :

'That this House concurs with the Assembly in setting up a Joint Select Committee of both the Houses consisting of 30 Members (20 Members of the Assembly and 10 Members of the Council) to consider the Madras Cultivating Tenants Protection Bill, 1955 (L. A. Bill No. 11 of 1955) and that the following Members of this House be selected to serve on such a Joint Select Committee:—

1. The Hon. Sri M. Bhaktavatsalam.
2. Sri K. Bhashyam.
3. „ A. M. Allapichai.
4. „ T. Purushotham.
5. „ T. G. Krishnamurthi.
6. „ N. Nallasenapathi Sarkarai Manradiar.
7. Dr. V. K. John.
8. Sri Muhammed Raza Khan.
9. „ A. Gajapathy Nayagar.
10. „ K. Balasubramania Ayyar.' "

IV.—GOVERNMENT RESOLUTIONS.

(1) AMENDMENTS UNDER SECTION 40 (1) OF THE MADRAS ESTATES (ABOLITION AND CONVERSION INTO RYOTWARI) ACT, 1948 (MADRAS ACT XXVI OF 1948).

* THE HON. SRI M. A. MANICKAVELU :—" Mr. Speaker, Sir, I beg to move the following resolution :—

' *That the following draft amendments to the rules published with Revenue Department Notification, dated the 21st December 1949, at pages 397–398 of the Rules Supplement to Part I of the* Fort St. George Gazette, *dated the 27th December 1949, which it is proposed to make in exercise of the powers conferred by section 40 (1) of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Madras Act XXVI of 1948) be approved.*

DRAFT AMENDMENTS.

In the said rules—(1) *in rule* 3, *for the words " six months " and " three months ", the words " nine months " shall be substituted;*

(2) *rule* 4 *shall be omitted.*'

While doing so, I wish to say a few words. In the practical working of the rules, certain difficulties have been experienced and it is not possible to make the payment within the time mentioned in the rule and so the rule has to be infringed. Therefore we have brought forward these amendments so that they may be technically conformable with the rule. In these amendments we have increased the duration of the time by three months in one case and six months in another case. I hope the House will accept the resolution."

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MR. SPEAKER :—" The question is— 9-30 a.m.

' That the following draft amendments to the rules published with Revenue Department Notification, dated the 21st December 1949, at pages 397–398 of the Rules Supplement to Part I of the *Fort St. George Gazette*, dated the 27th December 1949, which it is proposed to make in exercise of the powers conferred by section 40 (1) of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Madras Act XXVI of 1948) be approved :—

DRAFT AMENDMENTS.

In the said rules—

(1) in rule 3, for the words " six months " and " three months ", the words " nine months " shall be substituted;

(2) rule 4 shall be omitted.' "

The motion was put and carried.

(2) AMENDMENT TO THE SCHEDULE TO THE MADRAS MOTOR VEHICLES (TAXATION OF PASSENGERS AND GOODS) ACT, 1952 (MADRAS ACT XVI OF 1952).

THE HON. SRI B. PARAMESWARAN :—" Mr. Speaker, Sir, I beg to move—

' *That the following draft of a rule proposed to be made by the Government of Madras under section 4 (2) of the Madras Motor Vehicles (Taxation of Passengers and Goods) Act, 1952 (Madras Act XVI of 1952), amending the schedule to the said Act, be approved—*

DRAFT RULE.

In the said schedule, after sub-rule (3) of rule 1, the following sub-rule shall be added, namely :—

' (4) (*a*) *The amount of the composition fee calculated with reference to clause (b) of sub-rule (1) shall, with effect from the 1st April 1955, be reduced by one-half in the case of a public carrier vehicle registered and normally kept in the State of Andhra and operating partly in the State of Madras.*

(*b*) *One-half of the amount of the composition fee calculated with reference to clause (b) of sub-rule (1) shall, with effect from the 1st April 1955, be liable to be refunded in the case of a public carrier vehicle registered and normally kept in the State of Madras and operating partly in the State of Andhra if the composition fee calculated as aforesaid is paid in full in this State in the first instance and a claim is made for refund of one-half of such fee by producing proof that the vehicle has actually plied in the State of Andhra and the fee due to that State for the corresponding period in respect of the vehicle has been paid.'"*

* SRI M. NARAYANA KURUP—" Sir, I take this opportunity to remind the Hon. Minister of an assurance which he had given when the Demand relating to the administration of the Madras Motor Vehicles (Taxation of Passengers and Goods) Act was discussed in the House. During that debate, we pressed that the minimum fare now charged, i.e., five annas should be reduced and the Hon. Minister said that before the House dispersed on 2nd April encouraging news would be given. All these things are in the printed records of the Assembly. If the Hon. Minister has not already implemented the assurance, I now wish to draw his attention to it."

* SRI K. VINAYAKAM :—" Sir, it is needless for me to say that this kind of amendment to the Madras Motor Vehicles (Taxation of Passengers and Goods) Act, 1952, is absolutely necessary. Enormous difficulties are being experienced by the operators who ply buses from the Andhra State to the Madras State and from the Madras State to the Andhra State. I believe that the arrangement suggested in the draft amendment has been arrived at after due consultation with the Hon. Ministers of the Andhra State.

" Sir, I collected information from the Press that in the matter of buses plying from the Andhra State to the Madras State and *vice versa* fees would be collected proportionate to the mileage covered by the buses in the respective States. But here, I find that the amount of the composition fee would be reduced by one-half in the case of a public carrier vehicle registered and kept in the State of Andhra and operating partly in the State of Madras and *vice versa*. May I know whether the information I collected from the Press is correct or not. I also wish to know whether this arrangement was arrived at after consultation with the Hon. Ministers of the Andhra Government."

THE HON. SRI B. PARAMESWARAN :—" With regard to the points raised by Mr. Narayana Kurup about the revision of fare. I wish to say that this Bill is not contemplating that. But, however, I will look into the matter.

" Hon. Member Sri Vinayakam wanted to know whether we came to this arrangement in consultation with the Government of Andhra. We have come to this decision in consultation with that Government.

" As regards the suggestion of collecting fees in proportion to the mileage covered in each State, it will not be possible for this Government or the Government of Andhra to find out exactly the miles that are being covered by the respective vehicles and, therefore to be on the safe side, we have said that if the Andhra vehicle enters the Madras State or the Madras vehicle enters the Andhra State half the fees prescribed would be collected."

* SRI K. VINAYAKAM :—" Sir, the Hon. Minister was pleased to brush aside the information so easily saying that it would

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not be very easy to collect fees based on mileage. May I point out to the Hon. Minister that the mileage covered by the Andhra vehicles in the Madras State are greater in number than the mileage covered by the Madras vehicles in the Andhra State? For instance, Sir . . ."

MR. SPEAKER :—" The hon. Member is taking a second opportunity to speak on the resolution."

SRI K. VINAYAKAM :—" If the Hon. Minister had explained the thing properly or if he had convinced not only me but also the entire House, I would not have spoken . . ."

MR. SPEAKER :—" The question is not whether the hon. Member is convinced or not. There is no rule which provides for a speech by a member for a second time."

SRI K. VINAYAKAM :—" Sir, if I can throw some more light on the problem it will be useful to the House."

* SRI M. NARAYANA KURUP :—" On a point of order, Sir. The hon. Member will have no right of reply if the Hon. Minister himself confined to the original position and not raised new points in reply. If he raised new points which were not covered by the original explanation, then Sir . . ."

MR. SPEAKER :—" The hon. Member has no right of reply. When the Hon. Minister replies there is an end of the matter, and I will have to put the motion to the vote of the House. Where is it stated in the rules that a member has a right for a second speech? "

* SRI M. NARAYANA KURUP :—" That means, Sir, that hon. Members are to be penalized for not raising a point of order at that point of time. We ought to have raised it by saying that the Hon. Minister was not entitled to raise fresh points . . ."

MR. SPEAKER :—" That, however, does not mean that the hon. Member has a right for a second speech."

* SRI K. VINAYAKAM :—" Sir, our City being a metropolitan one and being a highly developed centre, buses are plying from towns like Tiruthani, Chittoor, Tirupathi, etc., from the Andhra State in larger numbers and the buses plying from Madras to places in the Andhra State are very few. In the long run it is the Madras Government that are likely to lose, whereas the Andhra Government are likely to make more money. If the Hon. Minister at least realises that by this kind of arrangement, the Government of Madras are likely to lose revenue in the long run and that it is not good to the State of Madras, my job is finished."

THE HON. SRI B. PARAMESWARAN :—" Sir, I may say that the hon. Member needed neither light nor weight. Therefore, I do not propose to add to what I have already said."

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MR. SPEAKER :—" The question is—

' That the following draft of a rule proposed to be made by the Government of Madras under section 4 (2) of the Madras Motor Vehicles (Taxation of Passengers and Goods) Act, 1952 (Madras Act XVI of 1952), amending the Schedule to the said Act, be approved :—

DRAFT RULE.

In the said schedule, after sub-rule (3) of rule 1, the following sub-rule shall be added, namely :—

" (4) (*a*) The amount of the composition fee calculated with reference to clause (*b*) of sub-rule (1) shall, with effect from the 1st April 1955, be reduced by one-half in the case of a public carrier vehicle registered and normally kept in the State of Andhra and operating partly in the State of Madras.

(*b*) One-half of the amount of the composition fee calculated with reference to clause (*b*) of sub-rule (1) shall, with effect from the 1st April 1955, be liable to be refunded in the case of a public carrier vehicle registered and normally kept in the State of Madras and operating partly in the State of Andhra *if* the composition fee calculated as aforesaid is paid in full in this State in the first instance and a claim is made for refund of one-half of such fee by producing proof that the vehicle has actually plied in the State of Andhra and the fee due to that State for the corresponding period in respect of the vehicle has been paid. " ' "

The motion was put and carried.

V.—GOVERNMENT BILLS.

(1) THE MADRAS CITY TENANTS' PROTECTION (AMENDMENT) BILL, 1955.

9-40 a.m.

* THE HON. SRI M. A. MANICKAVELU :—" Sir, I beg to introduce the Madras City Tenants' Protection (Amendment) Bill[a], 1955, and move—

' *That the Bill be taken into consideration at once.*'

" Sir, the object of the Bill is a very simple one. An Ordinance was already issued in June and it has to be made into an Act now. There is a legislation called the Madras City Tenants' Protection Act passed in 1922 to protect the tenants within the limits of the City who were unjustly evicted. Now recently it has been brought to the notice of the Government that in big cities like Madurai and Tiruchirappalli evictions are taking place causing much disturbance and hardship to the tenants who have been living there for a long time. So, it was thought that the City Tenants' Protection Act should be extended to such cities where it is necessary. It is only with that object that this Bill is now being introduced. I hope the House will pass this Motion."

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a Published in the *Fort St. George Gazette*, dated 2nd August 1955.